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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 BEACHBODY, LLC, a California
14 Limited Liability Company,

15 Plaintiff,

16 v.

17 DNETSALES, LLC, a Florida Limited
18 Liability Company; HIRAM
19 ABRAHAM, an Individual; IRNAD
20 DURMIC, an Individual; JASON DAY,
21 an Individual; JOSE CASADO, an
Individual; CHRISTOPHER RIVERA,
an Individual; CHRISTOPHER RUBLE,
an Individual; TANJA MICKLES, an
Individual; and DOES 1-10, Inclusive,

22 Defendants.
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Case No.: CV12-05987 BRO (AJWx)

**JUDGMENT
AGAINST DEFENDANTS HIRAM
ABRAHAM, IRNAD DURMIC,
JOSE CASADO, AND
CHRISTOPHER RUBLE**

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

2 Plaintiff BEACHBODY, LLC (hereinafter "Plaintiff"), is hereby awarded
3 final judgment on its claims for relief against Defendants HIRAM ABRAHAM,
4 IRNAD DURMIC, JOSE CASADO, and CHRISTOPHER RUBLE (collectively,
5 hereinafter "Defendants") as set forth in Plaintiff's First Amended Complaint as
6 the prevailing party in this action under Rule 55(b) of the *Federal Rules of Civil*
7 *Procedure* ("Fed.R.Civ.P.") and *Local Rule* ("L.R.") 55-1 as follows:

8 I. Pursuant to 15 *United States Code* ("U.S.C.") § 1117(c)(1) and 17
9 U.S.C. § 504(c)(1), Plaintiff is hereby awarded final judgment on its claims for
10 relief against Defendants HIRAM ABRAHAM, IRNAD DURMIC, and JOSE
11 CASADO in the sum of \$230,000, jointly and severally. Pursuant to 15 U.S.C. §
12 1117(c)(1) and 17 U.S.C. § 504(c)(2), Plaintiff is hereby awarded final judgment
13 on its claims for relief against Defendant CHRISTOPHER RUBLE in the sum of
14 \$675,000.

15 II. Plaintiff is further awarded attorneys' fees against Defendants in the
16 amount of \$5,600 plus 2% of the amount over \$100,000 pursuant to the Schedule
17 of Attorneys' Fees set forth in L.R. 55-3. In total, Plaintiff is awarded attorneys'
18 fees in the amount of \$21,700.

19 III. Plaintiff is further awarded costs against Defendants pursuant to the
20 *Trademark Act* (15 U.S.C. §1125(c)) and *Copyright Act* (17 U.S.C. §504(c)) in the
21 amount of \$3,626.90.

22 IV. Furthermore, Defendants are permanently enjoined and restrained
23 from the following activities and conduct and ordered pursuant to 15 U.S.C. §
24 1116(a) and 17 U.S.C. § 502 as follows:

25 1. Defendants and any person or entity acting in concert with, or at
26 the direction of them, including any and all agents, servants, employees, partners,
27 assignees, distributors, suppliers, resellers and any others over which they may
28 exercise control, are hereby restrained and enjoined, from engaging in, directly or

1 indirectly, or authorizing or assisting any third party to engage in, any of the
2 following activities in the United States and throughout the world:

3 i. copying, manufacturing, importing, exporting, marketing,
4 selling, offering for sale, distributing or dealing in any product or service that uses,
5 or otherwise making any use of, any of Plaintiff's BEACHBODY® and/or P90X®
6 trademarks and copyrights, and/or any intellectual property that is confusingly or
7 substantially similar to, or that constitutes a colorable imitation of, any of
8 Plaintiff's BEACHBODY® and/or P90X® trademarks and copyrights, whether
9 such use is as, on, in or in connection with any trademark, service mark, trade
10 name, logo, design, Internet use, website, domain name, metatags, advertising,
11 promotions, solicitations, commercial exploitation, television, web-based or any
12 other program, or any product or service, or otherwise;

13 ii. performing or allowing others employed by or
14 representing them, or under their control, to perform any act or thing which is
15 likely to injure Plaintiff, any of Plaintiff's BEACHBODY® and/or P90X®
16 trademarks and copyrights, and/or Plaintiff's business reputation or goodwill;

17 iii. engaging in any acts of federal and/or state trademark
18 infringement, copyright infringement, false designation of origin, unfair
19 competition, dilution, or other act which would tend damage or injure Plaintiff;
20 and/or

21 iv. using any Internet domain name or website that includes
22 any Plaintiff's trademarks and copyrights, including the BEACHBODY® and/or
23 P90X® trademarks and copyrights.

24 2. Defendants are ordered to deliver immediately to Plaintiff for
25 destruction all unauthorized products, including counterfeit P90X® Extreme Home
26 Fitness kits and DVDs, and related BEACHBODY® products and materials,
27 labels, signs, prints, packages, wrappers, receptacles and advertisements relating
28 thereto in their possession or under their control bearing any of Plaintiff's

1 intellectual property or any simulation, reproduction, counterfeit, copy or colorable
2 imitations thereof, and all plates, molds, heat transfers, screens, matrices and other
3 means of making the same, to the extent that any of these items are in Defendant's
4 possession.

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6 IT IS SO ORDERED, ADJUDICATED and DECREED this 3rd day of July,
7 2013.



HON. BEVERLY REID O'CONNELL
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **[PROPOSED]**
JUDGMENT was electronically filed with the Clerk of the Court using ECF
which will send notification and a copy of such filing to the following:

Larry Zerner
Larry@ZernerLaw.com
1801 Century Park East, Suite 2400
Los Angeles, California 90067

I declare under the laws of the United States of America that the foregoing is
true and correct. Executed on June 24, 2013 at Woodland Hills, California.

By: ___/s/Christopher Q. Pham_____